

III. REMARKS

Status of the Application

Claims 1 and 4-21 were previously pending. Claims 1 and 21 are currently amended and claim 11 was previously presented. Reconsideration of presently pending claims 1 and 4-21 is respectfully requested in light of the above amendments and the following remarks.

Non-Compliance of Prior Response

The Notice of Non-Compliant Amendment mailed July 17, 2008, indicated that the Amendment filed on June 20, 2008, does not comply with 37 CFR §1.121 or §1.4 because claim 21 was not provided with a proper status identifier. In response, the status identifier of claim 21 has been changed to (Currently amended).

Rejection of Claim 1 under 35 U.S.C. § 103

Claim 1 was rejected under 35 U.S.C. §103(a) over US Patent No. 5,787,175 (“Carter”) in view of U.S. Patent Publication 2006/0173999 (“Rider”). With respect to the claims as herein amended, this rejection is respectfully traversed.

35 U.S.C. §103(a) provides that a patent may not be obtained if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. (emphasis added). Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. However, neither Carter nor Rider disclose the subject matter as a whole of claim 1, as amended.

Claim 1, as amended, recites “building a member definition comprising a member identifier, an access control list and a digital signature, and associating the member definition with the user.” In contrast, neither Carter nor Rider teach, suggest, or disclose “building a member definition comprising a member identifier, an access control list and a digital signature, and associating the member definition with the user.” In particular, Carter discloses that the member definition “comprises the user identifier 48 which identifies the member to the operating system 46. The member identifier optionally includes additional information which is either provided by the user during the identifying step 114 or extracted from the appropriate user object

68, such as the user's full name, telephone number, e-mail address, or department name." (Carter, col. 13, lns 54-62). Clearly, the member definition formed by Carter does not teach a member identifier, an access control list and a digital signature.

Further, Rider does not disclose building member definitions. Instead, Rider discloses tiers of security (Rider, paragraph 35). Tier one security defines "who" can operate on a network resource and/or can access a folder or a document. (Rider, paragraph 35). Tier two security includes a set of rules for governing access based on the contents of a document. (Rider, paragraph 35). However, Rider does not disclose "building a member definition comprising a member identifier, an access control list and a digital signature, and associating the member definition with the user."

Accordingly, even if Carter and Rider were properly combinable, neither Carter nor Rider, alone or in combination, disclose each and every limitation of claim 1.

Rejection of Claim 11 under 35 U.S.C. § 103(a)

Claim 11 was also rejected under 35 U.S.C. §103(a) over Carter in view of Rider. This rejection is respectfully traversed.

MPEP §2143 provides "To establish a prima facie case of obviousness . . . the prior art reference (or references when combined) must teach or suggest all the claim limitations." Applicants respectfully submit that the Examiner has not shown how Carter or Rider, or any combination thereof, teach all of the claim limitations recited in independent claim 11.

In particular, the Examiner's rejection recites the elements of claim 1, but does not provide support for rejecting the limitations as claimed in claim 11. For example, claim 11 recites "a first member definition associated with the first data, wherein the first member definition contains a first user identifier and a first access right for a first user for the first data". The Examiner has not provided any basis or indication that Carter or Rider teach or disclose this limitation.

Moreover, neither Carter nor Rider, in fact, teach or disclose this limitation. In particular, Carter discloses that the member definition "comprises the user identifier 48 which identifies the member to the operating system 46. The member identifier optionally includes additional information which is either provided by the user during the identifying step 114 or extracted from the appropriate user object 68, such as the user's full name, telephone number, e-

mail address, or department name.” (Carter, col. 13, lns 54-62). Clearly, the member definition formed by Carter does not teach a member definition that contains a first user identifier and a first access right for a first user for the first data.

Further, Rider does not disclose building member definitions. Instead, Rider discloses tiers of security (Rider, paragraph 35). Tier one security defines “who” can operate on a network resource and/or can access a folder or a document. (Rider, paragraph 35). Tier two security includes a set of rules for governing access based on the contents of a document. (Rider, paragraph 35). However, Rider does not disclose “a first member definition associated with the first data, wherein the first member definition contains a first user identifier and a first access right for a first user for the first data.”

Since the Examiner’s rejection did not address all of the claim limitations recited in claim 11, the Examiner has not established a *prima facie* case of obviousness. Accordingly, Applicant requests withdrawal of the rejection of claim 11.

Rejection of Claim 21 under 35 U.S.C. § 103(a)

Claim 21 was also rejected under 35 U.S.C. §103(a) over Carter in view of Rider. This rejection is respectfully traversed.

35 U.S.C. §103(a) provides that a patent may not be obtained if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. (emphasis added). Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. However, neither Carter nor Rider disclose the subject matter of claim 21, as amended.

Claim 21, as amended, recites “building a first member definition comprising the first access right, a first user identifier, and a first digital signature” and “building a second member definition comprising the second access right, a second user identifier, and a second digital signature.”

In contrast, neither Carter nor Rider teach, suggest, or disclose “building a first member definition comprising the first access right, a first user identifier, and a first digital signature” and “building a second member definition comprising the second access right, a second user identifier, and a second digital signature.” In particular, Carter discloses that the member

definition “comprises the user identifier 48 which identifies the member to the operating system 46. The member identifier optionally includes additional information which is either provided by the user during the identifying step 114 or extracted from the appropriate user object 68, such as the user’s full name, telephone number, e-mail address, or department name.” (Carter, col. 13, lns 54-62). Clearly, the member definition formed by Carter is not comprised of an access right, an identifier, and a digital signature.

Further, Rider does not disclose building member definitions. Instead, Rider discloses tiers of security (Rider, paragraph 35). Tier one security defines “who” can operate on a network resource and/or can access a folder or a document. (Rider, paragraph 35). Tier two security includes a set of rules for governing access based on the contents of a document. (Rider, paragraph 35). However, Rider does not disclose “building a first member definition comprising the first access right, a first user identifier, and a first digital signature” and “building a second member definition comprising the second access right, a second user identifier, and a second digital signature.”

Accordingly, even if Carter and Rider were properly combinable, neither Carter nor Rider, alone or in combination, disclose each and every limitation of claim 21.

Dependent Claims

Dependent claims 4-10 depend from and further limit claim 1 and claims 12-20 depend from and further limit claim 11 and therefore are deemed to be patentable over the prior art. Claims 4-10 and 12-20 are also believed to be distinct from the art of record, for at least the same reasons discussed above with respect to claims 1 and 11.

Conclusion

In view of the foregoing amendment and remarks, an early action on the merits is respectfully requested. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Serial Number: 10/734,935
Response to Notice dated 7/17/2008

Attorney Docket No.: 26530.92 (IDR-671)
Customer No. 000027683

Respectfully submitted,



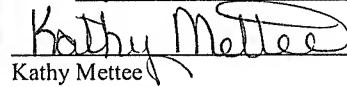
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